

S/N 10/509,696

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|             |                 |                 |             |
|-------------|-----------------|-----------------|-------------|
| Applicant:  | NIELSEN ET AL.  | Examiner:       | UNKNOWN     |
| Serial No.: | 10/509,696      | Group Art Unit: | 2828        |
| Filed:      | AUGUST 30, 2005 | Docket No.:     | 9663.74USWO |
| Title:      | LASER SYSTEM    |                 |             |

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**CERTIFICATE UNDER 37 CFR 1.8:**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Mail Stop PCT, Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 on Aug 31, 2006.

By:   
Name: Jo Ann Mattson

SUPPLEMENTAL PETITION UNDER 37 C.F.R. §1.47(a)

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

This is a Supplemental Petition Under 37 C.F.R. §1.47(a). This Supplemental Petition is in response to the Decision on Petition mailed on March 3, 2006, and supplements the petition mailed to the United States Patent and Trademark Office on August 12, 2005. The entire petition mailed to the United States Patent and Trademark Office on August 12, 2005 is incorporated herein by reference.

In accordance with the provisions of 37 C.F.R. §1.47(a), applicant petitions to have the present application perfected by the Declaration of Inventorship of Niels-Søren Bøgh on behalf of himself and on behalf of Martin Egede Nielsen, a joint inventor who refuses to sign the declaration.

The Following Documents are Enclosed:

Exhibit AA: Danish language copy and English language translation of a letter from Susanne Hamberg to Martin Egede Nielsen dated 21 June 2006. The letter clearly states that

copies of the patent application, the declaration, and the assignment accompany the letter to Martin Egede Nielsen.

Exhibit BB: Danish language copy and English language translation of a letter from Martin E. Nielsen to Susanne Hamberg dated June 28, 2006 and received July 4, 2006. Martin E. Nielsen acknowledges receipt of the letter from Susanne Hamberg and refuses to sign the documents.

Exhibit CC: Danish language copy and English language translation of a letter from Holm Schwarze to Martin Egede Nielsen responding to Martin E. Nielsen's letter dated June 28, 2006, confirming the inventorship of the patent application, and requesting execution of the assignment and declaration documents. The letter dated August 16, 2006 provides copies of the assignment and declaration documents.

Exhibit DD: Copy of post office receipt of the letter sent on August 16, 2006 by registered mail.

Remarks:

In view of a conversation between PCT Legal Examiner George Dombroske and the applicant's below-named representative on June 9, 2006, the Petition Under 37 C.F.R. §1.47(a) mailed on August 12, 2005 was refused on the grounds that the letter to Mr. Nielsen did not state that a complete copy of the application and declaration was presented to Mr. Nielsen. In view of the attached exhibits, it is clear that copies of the complete application and the declaration were presented to Martin Egede Nielsen by the letter dated June 21, 2006 (Exhibit AA) and that he refused to sign the declaration in view of Mr. Nielsen's statements in his letter dated June 28, 2006 (Exhibit BB). It is submitted that the reasons expressed by Mr. Nielsen for refusing to sign the declaration and assignment are irrelevant. The fact is that he refused to sign, and the applicant has filed this petition under the provisions of 37 C.F.R. §1.47(a) in order to proceed with the above-identified patent application.

The last known address of Martin Egede Nielsen is:

Martin Egede Nielsen  
Olfert Fischersgade 5, 4. th.  
9000 Aalborg

The letter that was sent to Martin Egede Nielsen on June 24, 2006 relied upon the above address and was received by Mr. Nielsen.

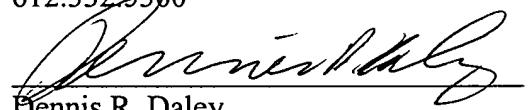
It is understood from the Decision on Petition mailed on March 3, 2006 that no further petition fee is required.

Applicant, therefore, again petitions for entry of the declaration accompanying the petition mailed on August 12, 2005 as the declaration of inventorship by the joint inventors.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
612.332.5300

Date: August 01, 2006

  
\_\_\_\_\_  
Dennis R. Daley  
Reg. No. 34,994  
DRD:jm

23552

PATENT TRADEMARK OFFICE

Martin Egede Nielsen  
 Olfert Fischersgade 5, 4.th.  
 9000 Ålborg



ANBEFALET

Dato 21. juni 2006  
 Deres ref.  
 Vores ref. P200200531 US HSC/SHA



Patentansøgning i USA nr. 10/509696  
**Laser system**  
**Esko-Graphics A/S**

Kære Martin Egede Nielsen

I forbindelse med indlevering af ovennævnte ansøgning i USA, hvor De og Niels-Søren Bøgh er anført som opfindere skal der indleveres en kombineret opfindererklæring/fuldmagt og overdragelse af patentrettighederne til Esko-Graphics A/S til den amerikanske patentmyndighed. Niels-Søren Bøgh har allerede underskrevet disse erklæringer og vi beder Dem derfor venligst returnere dokumenterne til os underskrevet som anført snarest muligt og inden den 21.juli 2006.

Vi vedlægger endvidere en komplet kopi af ovennævnte ansøgning (beskrivelse, krav og tegninger). De bedes venligst gennemlæse kopien af ansøgningen og dokumenterne inden underskriften.

Som De vil bemærke, at det Deres tidligere adresse: Svendsgade 5A, 9000 Ålborg, der er anført på dokumenterne. Såfremt adressen anført øverst i dette brev er Deres nuværende adresse er De velkommen til at rette angivelsen på dokumenterne.

Vi ser frem til at modtage dokumenterne retur i underskrevet stand. På forhånd tak for hjælpen.

Venlig hilsen  
 Zacco Denmark A/S

Susanne Hamberg  
 Direkte tlf.: 39 48 81 11  
 E-mail: sha@zacco.dk

## TRANSLATION

Martin Egede Nielsen  
Olfert Fischersgade 5, 4. th  
DK-9000 Ålborg

BY REGISTERED MAIL

Date 21 June 2006  
Your ref.  
Our ref. P200200531 US HSC/SHA

**US patent application No. 10/509696**  
**Laser system**  
**Esko-Graphics A/S**

Dear Martin Egede Nielsen

In connection with the filing of the above-mentioned application in the USA, where you and Niels-Søren Bøgh are listed as inventors, a combined inventor statement/power of attorney and an assignment of the patent rights to Esko-Graphics A/S are to be filed with the US patent authority. Niels-Søren Bøgh has already signed the declarations and we therefore request you to kindly return the documents to us, duly signed as indicated, as soon as possible and before 21 July 2006.

We also enclose a complete copy of the above application (description, claims and drawings). Please read through the copy of the application and the documents prior to signing.

As you will note, it is your previous address: Svendsgade 5A, DK-9000 Ålborg, which is given in the documents. If the address given at the top of this letter is your current address, please feel free to correct the information in the documents.

We look forward to receiving the duly signed documents. Thank you in advance for your assistance.

Yours sincerely  
Zacco Denmark A/S  
Susanne Hamberg  
Direct phone: 39 48 81 11  
E-mail: sha@zacco.dk

**Zacco Denmark A/S**

Main Office:  
Hans Bekkevolds Allé 7  
DK-2900 Hellerup - Denmark

Tel. +45 39 48 80 00

Fax +45 39 48 80 80  
e-mail: [info@zacco.dk](mailto:info@zacco.dk)  
[www.zacco.dk](http://www.zacco.dk)

**Århus office:**

Åboulevarden 17  
P.O.Box 5020  
DK-8100 Århus C - Denmark

**Bank Account:**

2191 0367-232455 Nordea Bank Denmark  
CVR-No.: 24 25 74 60  
European patent and trademark attorneys

COPY

EXHIBIT BB

Aalborg d. 28/6 -06

RECEIVED

- 4 JULI 2005

Zacco Denmark A/S

Zacco Denmark A/S

Att.: Susanne Hamburger

Vedr.: Patentansøgning i USA nr. 10/509696.

Af holistiske hensyn må jeg bemærke  
at anmeldte device er udviklet af  
flg. gruppe:

Niels Søren Bøgh

Mingjun Chi

Paul Michael Petersen

Eva Samsøe

Bjarne Sass

Martin E. Nielsen

Birgitte Thistrup

m.fl.

Når dette tydeligt fremgår af dokumenterne,  
overdrager jeg gerne mine påståede/duttede  
patentrettigheder til enhver fredelig trængende.

Som ethvert andet forholdsvis ansædligt  
menneske.

Og så lige en ting mere:

don't ask why!

Med venlig hilsen

H.H. & N.I.

TRANSLATION

*Stamped (COPY)*

Aalborg 28 June 06  
(*Stamped: RECEIVED*  
*04 July 2006*  
*Zacco Denmark A/S*)

Zacco Denmark A/S  
Att: Susanne Hamberg  
Conc: US patent application No. 10/509696

For holistic reasons, I must note that the device subject to application was developed by the following group:

Niels Søren Bøgh  
Mingjun Chi  
Paul Michael Petersen  
Eva Samsøe  
Bjarne Sass  
Martin E. Nielsen  
Birgitte Thistrup  
et al.

When this appears clearly from the documents, I shall be pleased to assign my alleged/foisted-on patent rights to any peaceful needy party. Like any other comparatively decent human being.

And then just one more thing:

don't ask why!

Yours sincerely  
Martin E. Nielsen

Martin Egede Nielsen  
Olfert Fischersgade 5, 4. th.  
9000 Ålborg

**ANBEFALET**

Dato 16. august 2006  
Deres ref.  
Vores ref. P200200531 US HSC -/HHA

**Patentansøgning i USA nr. 10/509,696**

**Laser system**  
**Esko-Graphics A/S**

Kære Martin Egede Nielsen

Som svar på Deres brev 28. juni 2006 og i forlængelse af vores brev af 21. juni 2006 er det naturligvis rigtigt, at der har været flere personer involveret i forskellige aspekter af udviklingen af produktet.

Den konkrete opfindelse, som søges patenteret i henhold til ovennævnte patentansøgning, er ganske vist gjort i forbindelse med udviklingen af produktet, men opfindelsen er i h.t. Esko-Graphics' vurdering kun blevet lavet af de to personer, som er anført på dokumenterne.

Vi beder Dem derfor endnu engang venligst returnere følgende vedlagte dokumenter til os:

- Overdragelseerklæring (Assignment)
- Opfindererklæring/fuldmagt (Declaration).

Det bemærkes, at et sæt dokumenter svarende til det vedlagte allerede er blevet underskrevet af medopfinder Niels-Søren Bøgh.

Vi vedlægger endvidere en komplet kopi af ansøgningsteksten (beskrivelse, krav og tegninger) til ovennævnte ansøgning. Vi beder Dem gennemlæse ansøgningsteksten og de vedlagte dokumenter inden De skriver under.

Som De vil bemærke, er det Deres tidligere adresse, som er anført på dokumenterne. De er velkommen til at rette Deres gl. adresse - med håndskrift – til Deres nuværende adresse og påføre Deres initialer og dato ud for rettelsen.

Vi beder Dem om at returnere vedlagte dokumenter til os i underskreven stand senest d.  
20. august 2006.

Vi ser frem til at høre fra Dem og takker på forhånd for Deres hjælp.

Venlig hilsen  
Zacco Denmark A/S



Holm Schwarze  
Direkte telefon: 39 48 81 61  
E-mail: [hsc@zacco.dk](mailto:hsc@zacco.dk)

## TRANSLATION

Martin Egede Nielsen  
Olfert Fischersgade 5, 4. th  
DK-9000 Ålborg

BY REGISTERED MAIL

Date 16 August 2006  
Your ref.  
Our ref. P200200531 US HSC/SHA

**US patent application No. 10/509,696**  
**Laser system**  
**Esko-Graphics A/S**

Dear Martin Egede Nielsen

In response to your letter dated 28 June 2006 and further to our letter dated 21 June 2006 it is, of course, correct that several persons were involved in various aspects of the development of the product.

Albeit the concrete invention concerned by the patent application mentioned above was made in connection with the development of the product, the invention was, pursuant to Esko-Graphic's view on the case, made exclusively by the two persons listed in the documents.

Therefore, we once again ask you to kindly return the following enclosed documents to us:

- Declaration of Assignment (Assignment)
- Declaration of inventor/power of attorney (Declaration).

It should be noted that a set of documents corresponding to the enclosed has already been signed by co-inventor Niels-Søren Bøgh.

We also enclose a complete copy of the application text (description, claims and drawings) to said application. Please read through the application text and the enclosed documents prior to signing.

As you will note, it is your previous address which is given in the documents. Please feel free to correct your former address – in hand writing – into your current address and sign with your initials and the date next to the correction.

We ask you to kindly return the enclosed documents to us, duly signed, no later than 20 August 2006.

We look forward to hearing from you and thank you in advance for your assistance.

Yours sincerely  
Zacco Denmark A/S  
Holm Schwarze  
Direct phone: 39 48 81 61  
E-mail: [hsc@zacco.dk](mailto:hsc@zacco.dk)

## EXHIBIT DD

**POST**

**Postkvittering**  
Indleveringsattest

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| <small>F 1 (05/06) Q</small><br><small>Erstatningsbestemmelser - se bagsiden</small>  |   |   |   |                                 |   |  |   |   |                             |   |                                  |   |  |   |                             |  |  |
| <small>Post Danmark A/S CVR-nr. 26 66 39 03 København</small>   |   |   |   |                                 |   |  |   |   |                             |   |                                  |   |  |   |                             |  |  |